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Date: May 20, 2009

Attorney
Docket No.: NLI-002AX

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of: STEPHEN F. FULGHUM

Entitled: AUTOFLUORESCENCE IMAGING SYSTEM FOR ENDOSCOPY

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Applicant hereby appeals to the Board of Appeals from the decision dated November 20, 2008 of the Examiner finally rejecting claims 1-11 and 21-26.

The Commissioner is authorized to charge payment of \$540.00 to Deposit Account No. 23-0804 for the cost of the Notice of Appeal.

The following checked items are appropriate:

A timely response to the final rejection:

[] has been filed [] is hereby filed

An extension of time to respond to the final rejection:

1. [] was requested on _____ for ___ month(s);

2. [X] is hereby requested for 3 month(s) the Commissioner is authorized to charge payment of \$1110.00 to Deposit Account No. 23-0804.

3. [] is included on the enclosed amendment transmittal form along with authorization to charge \$_____ to Deposit Account No. 23-0804 for the extension fee.

[] In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

[X] The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

Date: 20 May 2009

/Thomas O. Hoover/
Attorney of Record: Thomas O. Hoover
Registration No.: 32,470